

SUSSEX COUNTY COUNCIL

POST OFFICE BOX 589

GEORGETOWN, DELAWARE 19947

INDUSTRIAL WASTEWATER CONTRIBUTION PERMIT

In accordance with the provisions of the "Code of Sussex County,"  
Chapter 110, Part 1, Sewer Use,

Procino Plating

901 S. Market Street

Blades, DE 19973

is granted permission to discharge wastewater to the Blades Sanitary  
Sewer District at the location designated as:

Procino Plating

901 S. Market Street

Blades, DE 19973

Tax Map No. 1-32-1.15 (187), Lots 16 & 17

subject to the permit conditions established.

Effective Date: May 15, 1998

Expiration Date: May 14, 2003

\*Changes may be necessary before the expiration date due to  
changes in Federal, State, or County regulations or the agreement  
between the County Council and the City of Seaford.

Signed:

Michael A. Izzo, P.E.  
County Engineer

PERMIT CONDITIONSGeneral

1. The named permit holder shall be expressly subject to all provisions of the "Code of Sussex County, Chapter 110, Part 1" and all other regulations established by the Sussex County Council.
2. The permit holder will be responsible for all user charges and fees, as outlined in the "Code of Sussex County," Chapter 110, and any other fees or charges as established by the Sussex County Council.
3. This wastewater discharge permit is issued in the name of the permit holder and shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the prior approval of the Sussex County Council.
4. The permit holder shall report to the Sussex County Engineer any changes (permanent or temporary) to the premises or operations that significantly change the quantity or quality of the wastewater discharge, described in the wastewater discharge permit application submitted by the permit holder, or deviate from the terms and conditions under which this permit is granted. The Sussex County Engineer shall be informed by telephone within 24 hours of the change and shall be confirmed in writing within 10 days of the change.

This requirement includes notification when new plating operations are implemented.

5. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and Title 7, Section 6033, Delaware Code Annotated and is grounds for enforcement action; for permit termination and revocation and reissuance or modification; or denial of a permit renewal application.
6. The permittee must comply with the monitoring and reporting requirements of the general pretreatment regulations, 40 CFR, Part 403.

7. The permit holder may submit semi-annual certification statements of no dumping of solvents in lieu of Total Toxic Organics (TTO) monitoring. Each semi-annual report must be signed by a responsible corporate officer of the company or manager responsible for the overall plant operation and submitted in accordance with 40 CFR 433.
8. Within 45 days of initiating plating operation, the permittee shall submit a solvent management plan to the County for approval. The solvent management plan shall specify to the Sussex County Engineer's satisfaction the toxic organic compounds used; the method of disposal used instead of dumping, such as reclamation, contract hauling or incineration; and procedures for assuring that toxic organics do not spill or leak into the wastewater.
9. The Sussex County Engineer reserves the right to revise this permit based on changes in Sussex County's or the City of Seaford's local pretreatment limits or the potential of the permittee's discharge to harm Sussex County's facilities or the City of Seaford's wastewater treatment process.

#### Effluent Limitations

Effluent limitations shall be in accordance with the requirements of the "Code of Sussex County," or the U. S. Environmental Protection Agency (EPA) Effluent guidelines for the Metal Finishing Industry, as published in 40 CFR, 403.12(e).

<u>Pollutant or</u> <u>Pollutant Property</u>	Max. For Any <u>Day</u> (mg/l)	Monthly Average <u>Shall Not Exceed</u> (mg/l)
Cadmium (T)	0.11	0.07
Chromium (T)	2.77	1.71
Copper (T)	3.38	1.46
Lead (T)	0.69	0.43
Nickel (T)	3.98	0.63
Cyanide (T)	1.20	0.65
Zinc (T)	2.61	1.48
TTO	2.13	2.13
Silver (T)	0.43	0.24

Source: 40 CFR, Section 433.17

<u>Pollutant or Pollutant Property</u>	<u>Max. For Any Day (mg/l)</u>	<u>Monthly Average Shall Not Exceed (mg/l)</u>
Mercury		0.10
Phenol		19.0
BOD		350
TSS		250
Maximum Temperature	100°F	
pH	must be maintained between 6.0 and 9.0 units	
Arsenic		2.50
COD		750
TOC		150
NH <sub>3</sub> -N		40
O&G		100

Source: "Code of Sussex County" and City of  
Seaford's Local Limits, per Interjurisdictional  
Agreement.

Alternatively, for industrial facilities with cyanide treatment and upon agreement between a source subject to these limits and the pollution control authority, the following amendable cyanide limit may apply in place of the total cyanide limit specified above.

<u>Pollutant or Pollutant Property</u>	<u>Max For Any Day (mg/l)</u>	<u>Monthly Average Shall Not Exceed (mg/l)</u>
Cyanide (A)	0.86	0.32

Source: 40 CFR Regulations, Section 433.17

#### General Prohibition

The permittee shall never increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the "Federal Categorical Pretreatment Standards" or in any other pollutant-specific limitation developed by the County or State.

Monitoring Requirements

The permitted discharge shall be monitored by the permit holder in compliance with the following schedule:

<u>Effluent Constituent</u>	<u>Monitoring Requirement</u>	
	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	Daily	Totalize/Record
pH	Daily	Grab
Temperature & Cyanide	Monthly	Grab
Cadmium <sup>1</sup> , Chromium <sup>1, 7</sup> , Copper <sup>1</sup> , Lead <sup>1</sup> , Nickel <sup>1, 2</sup> & Zinc <sup>1, 6</sup> , Silver <sup>1, 3</sup>	Monthly	(See Note 5)
BOD, TSS & pH	Monthly	Grab by SCED
BOD, TSS & Phenol, Arsenic, Mercury, COD, TOC, NH <sub>3</sub> -N, O&G	Semi-annually	8-hour composite
TTO <sup>8</sup>	Semi-annually	Grab

(This does not preclude the Sussex County Engineering Department taking unannounced samples in addition to those taken by the permittee.)

Notes:

- (1) Sampling shall be taken on a day when these substances are likely to be present in their maximum concentration, including spent chromating tank and other periodic discharges to the sanitary sewer.
- (2) Sampling for nickel shall be done on a day when nickel plating waste waters are discharged to the sanitary sewer and nickel is expected to be present in its maximum concentration.

- (3) Monitoring for cyanide must be conducted before dilution with other waste streams, and when cyanide is expected to be present at its maximum concentration.
- (4) Flow proportional composite sample over daily duration of discharge. The SCED may waive this requirement if permittee demonstrates that flow-proportional sampling is infeasible. If the flow-proportional composite requirement is waived an 8-hour composite sample must be substituted.
- (5) Once zinc plating operations commence, sampling for zinc shall be done on a day when zinc plating waste waters are discharged to the sanitary sewer and zinc is expected to be present at its maximum concentration.
- (6) Once chrome plating operations commence, sampling for chrome shall be done on a day when chrome plating waste waters are discharged to the sanitary sewer and chrome is expected to be present at its maximum concentration.
- (7) Sampling for chrome shall be done on a day when chrome plating wastewaters are discharged to the sanitary sewer and chrome is expected to be present at its maximum concentration.
- (8) Implementation of an approved toxic organic management plan and submission of semiannual certification statement as specified by 40 CFR 433.12 may be used in lieu of monitoring for TTO. The County reserves the right to require the permittee to monitor for TTO to determine compliance with the TTO standard at any time.
- (9) All analyses be performed in accordance with EPA approved analyses methods (40 CFR, Part 136) by an independent testing firm.
- (10) A user with an expiring wastewater discharge permit shall apply for wastewater discharge permit reissuance by submitting a complete permit application, a minimum of ninety (90) days prior to the expiration of the user's existing wastewater discharge permit.
- (11) If a sampling performed by a permit holder indicates a violation, the user must notify the Sussex County Engineer within twenty-four (24) hours of becoming aware of the violation. The permit holder shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Sussex County Engineer within thirty (30) days after becoming aware of the violation.

- (12) The permit holder shall retain all records of information obtained pursuant to any monitoring activities required by this permit. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. The records shall remain available for a period of at least three (3) years.
- (13) The permittee shall develop, submit for approval and implement an accidental discharge/slug control plan. The accidental discharge/slug control plan shall address, at a minimum, the following: (1) description of discharge practices including non-routine batch discharges; (2) description of stored chemicals; (3) procedures for immediately notifying the permitting authority of any accidental or slug discharge; and (4) procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.
- (14) When the Sussex County Engineer finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the Sussex County Engineer may petition the Court of Chancery of the State of Delaware through the County's Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order or other requirement imposed by this ordinance on activities of the user. The Sussex County Engineer may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user.

A user who has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable for maximum civil penalties of \$1,000 per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation. The

Sussex County Engineer may recover reasonable attorney's fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the County and/or City. In determining the amount of civil liability, the court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a user.

A user who willfully or negligently violates any provisions of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than five thousand dollars (\$5,000) per violation, per day, or imprisonment for not more than (1) year or both.

A user who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a penalty of at least five thousand dollars (\$5,000) or be subject to imprisonment for not more than one (1) year, or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.

A user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan or other documentation filed, or required to be maintained, pursuant to this ordinance, wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this ordinance shall, upon conviction, be punished by a fine of not more than five thousand dollars (\$5,000) per violation, per day, or imprisonment for not more than one (1) year, or both.

The remedies provided for in this ordinance are not exclusive. The Sussex County Engineer may take any, all or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the City's enforcement response plan. However, the Sussex County Engineer may take other action against any user when the circumstances warrant. Further, the Sussex County Engineer is empowered to make more than one



enforcement action against any noncompliant user.

#### Periodic Discharge Reports

A discharge report containing the results of the monitoring program shall be filed with the County Engineer by the second Tuesday of each month. Additional information to be included in each report is as follows:

Monthly average water consumption

#### Rate and Time of Discharge

The average production day flow permitted for discharge at the designated location shall not exceed 10,000 gpd on a thirty (30) day average.

The maximum N/A discharge flow rate shall not exceed \_\_\_\_\_ for a period of \_\_\_\_\_ hours.

#### Installation of Inspection, Sampling, and Meter Facilities

The permit holder is required to maintain an inspection and sampling manhole at the following location(s):

Sampling point in waste line, immediately outside the structure, housing the production area that includes the total wastewater flow from the production facilities.

A meter to measure the wastewater discharge shall be installed. Flow shall be monitored daily using a meter and chart recorder. The recorder shall use 7-day charts of 8-inch diameter. The meter shall have 4 to 20 mA output, capable of connecting to ISCO 2900 model composite sampler. The meter shall be installed at the following location(s):

After last discharge point and preceding the sampling point.

#### Sewer User Charges

In accordance with the "Code of Sussex County," Chapter 110, the permit holder shall be charged for sewer use, as follows:

1. Service charge to be billed quarterly. It will be based on the number of fixture units or the wastewater flow, whichever results in the greater assessment. Six (6) fixture units = one (1) EDU = 300 gallons per day.
2. Front Foot Assessment Charge to be billed annually. It will be based on Section 110-92, "Code of Sussex County."

## 3. Surcharges for BOD and SS shall be based upon:

(a)	BOD:	<u>N/A</u>	lbs./1,000 gallons
	SS:	<u>N/A</u>	lbs./1,000 gallons

or

(b) Laboratory sampling analyses of flow during the previous quarter according to:

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N/A

Other

See attached letter from Jeffrey W. Deats to Russell W. Archut, dated April 30, 1998.

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4/30/98

Mr. Russell W. Arthur  
Sussex County Engineering Dept.  
2 The Circle  
P.O. Box 589  
Georgetown, DE 19947

RE: Blades Sanitary Sewer District  
Discharge Permits BL-85001 & BL-93002  
Procino Plating, Inc.

received  
5/15/98

Dear Mr. Arthur:

We have recieved your letter dated April 28, 1998 regarding the re-issuance of the Procino Plating, Inc. discharge permit and hereby reiterate the considerations to be provided this user:

1. The User shall be provided six months to comply with the requirement of a installing a sampling manhole and flow monitoring equipment. Flow monitoring equipment shall be located at the sampling manhole, following all treatment processes and any additional process waste streams. If feasible, it should not include flows from sanitary/domestic waste. The chart recorder may be located at a remote location to allow for monitoring by treatment/ management staff, however, the 6-pin flow meter connector must be present at the sampling point. The flow pulse signal connector must be compatible with ISCO sampling equipment. This equipment is standard with most flow meters; additional information is provided (see attached). Please refer to Seaford Industrial Pretreatment Ordinance, Sec. II-3 for additional information.
2. Upon the User's request, the City will allow for the elimination of monitoring for phenol, COD, TOC, NH3-N, and O&G after one year (two samples) if it is demonstrated that there is not a significant contribution of, nor an ordinance exceedence of, these constituents in their discharge. It is the intent that arsenic and mercury remain.
3. The City of Seaford is in the procces of recalculating Local Limits. This will include substantial re-sampling at the WWTF and the collection system once the new treatment facility has stabilized. Based soley upon the new sludge disposal permit Local Limit calculations suggest the limits for copper and nickel will be greater than the existing limit, however the newly calculated limits were not submitted to , nor approved by, EPA and cannot be used. Considering that Local Limits have not been reviewed since the 1993 and that there have been changes in the treatment proccess, EPA has recommended (and we concur) that a full re-sampling and review proccess be initiated. Until this has been completed, and the new Local Limits receive EPA approval, while still considered an exceedance, no penalties will be made against Procino Plating provided concentrations do not exceed EPA Categorical limits. Further, once new Local Limits are established, no previous exceedence will be assessed by a retroactive penalty.

Sincerely,  
  
Jeff Deans  
City of Seaford

403 Nantuxet Ave.

Seaford, DE 19973

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